

**U.S. District Court  
District of Hawaii (Hawaii)  
CIVIL DOCKET FOR CASE #: 1:19-cv-00578-JMS-RT**

Yukutake et al v. Connors et al  
Assigned to: CHIEF JUDGE J. MICHAEL SEABRIGHT  
Referred to: MAGISTRATE JUDGE ROM TRADER  
Demand: \$1,000  
Cause: 42:1983 Civil Rights Act

Date Filed: 10/24/2019  
Date Terminated: 09/23/2021  
Jury Demand: Defendant  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff**

**Todd Yukutake**

represented by **Stephen D. Stamboulieh**  
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**Plaintiff**

**David Kikukawa**

represented by **Alan A. Beck**  
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**Stephen D. Stamboulieh**  
(See above for address)  
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V.

**Defendant**

**Clare E. Connors**  
*In her Official Capacity as the Attorney  
General of the State of Hawaii*

represented by **Caron M. Inagaki**  
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Date Filed	#	Docket Text
10/24/2019	<a href="#">1</a>	<b>VERIFIED COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF</b> against All Defendants ( Filing fee \$ 400 receipt number 0975-2281813.), filed by Todd Yukutake <b>and David Kikukawa</b> . (Attachments: # <a href="#">1</a> Civil Cover Sheet)(Beck, Alan) Docket Text Modified on 10/24/2019 (jo) (Entered: 10/24/2019)
10/24/2019	<a href="#">2</a>	Summons (Proposed) (Beck, Alan) (Entered: 10/24/2019)
10/24/2019	<a href="#">3</a>	Summons (Proposed) (Beck, Alan) (Entered: 10/24/2019)
10/24/2019	4	NOTICE of Case Assignment: <b>Please reflect Civil Case Number <a href="#">CV 19-00578 JMS-RT</a> on all further pleadings.</b> (jo) (Entered: 10/24/2019)
10/24/2019	<a href="#">5</a>	Order Setting Rule 16 Scheduling Conference for 09:00 AM on 12/23/2019 before MAGISTRATE JUDGE ROM TRADER - Signed by CHIEF JUDGE J. MICHAEL SEABRIGHT on 10/24/2019. (Attachments: # <a href="#">1</a> Memo from Clerk Re: Corporate Disclosure Statement)  <b>ATTACH THE SCHEDULING ORDER TO THE INITIATING DOCUMENT (COMPLAINT/NOTICE OF REMOVAL). THE SCHEDULING ORDER AND MEMO RE: CORPORATE DISCLOSURES MUST BE SERVED WITH THE DOCUMENT.</b> (jo) (Entered: 10/24/2019)
10/24/2019	<a href="#">6</a>	CIVIL Waiver of Service Packet ~ Notice to Parties Regarding Service Pursuant to Rule 4 of the Federal Rules of Civil Procedure (Attachments: # <a href="#">1</a> Notice of a Lawsuit and Request to Waive Service of Summons, # <a href="#">2</a> Waiver of the Service of Summons) (jo) (Entered: 10/24/2019)
10/24/2019	<a href="#">7</a>	Summons Issued as to City and County of Honolulu (jo) (Entered: 10/24/2019)
10/24/2019	<a href="#">8</a>	Summons Issued as to Clare E. Connors (jo) (Entered: 10/24/2019)
10/25/2019	9	EO: The Court RESCHEDULES the Rule 16 Scheduling Conference set for 12/23/19 @ 9:00 AM to 1/7/2020 @ 9:00 AM before MAGISTRATE JUDGE ROM TRADER. Rule 16 Scheduling Conference statements to be filed by 12/31/19. (MAGISTRATE JUDGE ROM TRADER)(tbf, ) (Entered: 10/25/2019)
10/31/2019	<a href="#">10</a>	MOTION for Pro Hac Vice <b>as to <a href="#">Stephen D. Stamboulieh</a></b> Filing fee \$ 300, receipt number 0975-2284538. Alan A. Beck appearing for Plaintiff Todd Yukutake (Attachments: # <a href="#">1</a> Exhibit)(Beck, Alan) Modified on 11/6/2019 (ens). (Entered: 10/31/2019)
11/01/2019	<a href="#">13</a>	ORDER granting <a href="#">10</a> Motion to Appear Pro Hac Vice signed by MAGISTRATE JUDGE ROM TRADER on 11/01/2019. Attorney Stephen D. Stamboulieh added. (apg, ) (Entered: 11/07/2019)
11/04/2019	<a href="#">11</a>	SUMMONS Returned Executed by Todd Yukutake. City and County of Honolulu <b>served</b>

11/04/2019	<a href="#">12</a>	SUMMONS Returned Executed by Todd Yukutake. Clare E. Connors served on 10/28/2019. (Beck, Alan) Modified on 11/6/2019 (ens). (Entered: 11/04/2019)
11/18/2019	<a href="#">14</a>	ANSWER to <a href="#">1</a> Complaint, <i>Defendant Clare E. Connors, In Her Official Capacity as the Attorney General of the State of Hawaii's Answer to Verified Complaint for Declaratory and Injunctive Relief</i> by Clare E. Connors. (Attachments: # <a href="#">1</a> Certificate of Service) (Moser, Kendall) (Entered: 11/18/2019)
11/19/2019		<b>ADVISORY ENTRY:</b> Please be advised docket entry <a href="#">14</a> Answer to Complaint, filed by Clare E. Connors is not signed. The filing party may refer to the CM/ECF Guide, <i>see</i> Page 7, Signatures, which states "The electronic filing of any document by a Registered Participant shall constitute the signature of that person for all purposes provided in the Federal Rules. Pleadings should indicate the signature of a party by inserting a "/s/" followed by the attorney's name and place it in the document where the original signature would be utilized in a conventional document. The format should look like: /s/ John/Jane Attorney." <b>No further action required.</b> (jo) (Entered: 11/19/2019)
12/05/2019	<a href="#">15</a>	ANSWER to <a href="#">1</a> Complaint, <i>Certificate of Service</i> by City and County of Honolulu. (Winter, Nicolette) (Entered: 12/05/2019)
12/12/2019	<a href="#">16</a>	REPORT of Planning Meeting . (Attachments: # <a href="#">1</a> Certificate of Service)(Stamboulieh, Stephen) (Entered: 12/12/2019)
12/12/2019	<a href="#">17</a>	Scheduling Conference Statement . (Attachments: # <a href="#">1</a> Certificate of Service) (Stamboulieh, Stephen) (Entered: 12/12/2019)
12/12/2019	<a href="#">18</a>	CERTIFICATE OF SERVICE by David Kikukawa, Todd Yukutake <i>Plaintiffs' Initial Disclosures</i> (Stamboulieh, Stephen) (Entered: 12/12/2019)
12/12/2019	<a href="#">19</a>	DEMAND for Trial by Jury. (Winter, Nicolette) (Entered: 12/12/2019)
12/13/2019	<a href="#">20</a>	Scheduling Conference Statement <i>Certificate of Service</i> . (Winter, Nicolette) (Entered: 12/13/2019)
12/13/2019	<a href="#">21</a>	CERTIFICATE OF SERVICE by City and County of Honolulu <i>re City's Initial Disclosures</i> (Winter, Nicolette) (Entered: 12/13/2019)
12/16/2019	22	EO: Stephen D. Stamboulieh and Alan Beck are allowed to appear by telephone at the Rule 16 Scheduling Conference set for 1/7/20 @ 9:00 AM. (MAGISTRATE JUDGE ROM TRADER)(tbf, ) (Entered: 12/16/2019)
12/17/2019	<a href="#">23</a>	CERTIFICATE OF SERVICE by David Kikukawa, Todd Yukutake <i>Discovery Propounded to All Defendants</i> (Stamboulieh, Stephen) (Entered: 12/17/2019)
12/20/2019	<a href="#">24</a>	Scheduling Conference Statement <i>Defendant Clare E. Connors, in her official capacity as the Attorney General of the State of Hawaii's Scheduling Conference Statement</i> . (Attachments: # <a href="#">1</a> Certificate of Service)(Moser, Kendall) (Entered: 12/20/2019)
12/20/2019	<a href="#">25</a>	INITIAL DISCLOSURE by Clare E. Connors. (Attachments: # <a href="#">1</a> Certificate of Service) (Moser, Kendall) (Entered: 12/20/2019)
01/07/2020	<a href="#">26</a>	EP: Rule 16 Scheduling Conference held. Discussion had. Telephone Status Conference scheduled for 04/07/2020 at 9:00 a.m. before MAGISTRATE JUDGE ROM TRADER. Counsels do not need to submit anything prior to the conference. Court to issue a Rule 16 Scheduling Conference order.

		<p>Dates given:</p> <p>Telephone Conference is set for 4/7/2020 at 09:00 AM in Courtroom 5 before MAGISTRATE JUDGE ROM TRADER.</p> <p>Settlement Conference is set for 10/13/2020 at 10:00 AM in Courtroom 5 before MAGISTRATE JUDGE ROM TRADER.</p> <p>Confidential Settlement Conference Letters are due by 10/06/2020.</p> <p>Jury Selection/Trial is set for 09:00 AM on 1/12/2021 in Aha Kaulike before CHIEF JUDGE J. MICHAEL SEABRIGHT.</p> <p>Final Pretrial Conference is set for 12/1/2020 at 09:00 AM in Courtroom 5 before MAGISTRATE JUDGE ROM TRADER.</p> <p>Dispositive Motions filed by 8/12/2020.</p> <p>Discovery due by 11/13/2020.</p> <p>(Court Reporter No Record.) (MAGISTRATE JUDGE ROM TRADER)(jp) (Entered: 01/07/2020)</p>
01/08/2020	<a href="#">27</a>	RULE 16 SCHEDULING ORDER - Signed by MAGISTRATE JUDGE ROM TRADER on 1/8/2020. (jo) (Entered: 01/08/2020)
01/16/2020	<a href="#">28</a>	CERTIFICATE OF SERVICE by City and County of Honolulu <i>Certificate of Service [Defendant City and County of Honolulu's Response to Plaintiffs' First Set of Request for Admissions]</i> (Winter, Nicolette) (Entered: 01/16/2020)
01/16/2020	<a href="#">29</a>	CERTIFICATE OF SERVICE by City and County of Honolulu <i>Certificate of Service [Defendant City and County of Honolulu's Response to Plaintiffs' First Set of Interrogatories]</i> (Winter, Nicolette) (Entered: 01/16/2020)
01/16/2020	<a href="#">30</a>	CERTIFICATE OF SERVICE by City and County of Honolulu <i>Certificate of Service [Defendant City and County of Honolulu's Response to Plaintiffs' First Set of Requests for Production of Documents]</i> (Winter, Nicolette) (Entered: 01/16/2020)
01/27/2020	<a href="#">31</a>	CERTIFICATE OF SERVICE by City and County of Honolulu <i>Defendant City and County of Honolulu's First Request for Answers to Interrogatories to Plaintiff David Kikukawa</i> (Winter, Nicolette) (Entered: 01/27/2020)
01/27/2020	<a href="#">32</a>	CERTIFICATE OF SERVICE by City and County of Honolulu <i>Defendant City and County of Honolulu's First Request for Answers to Interrogatories to Plaintiff Todd Yukutake</i> (Winter, Nicolette) (Entered: 01/27/2020)
02/04/2020	<a href="#">33</a>	CERTIFICATE OF SERVICE by David Kikukawa, Todd Yukutake <i>Notice of Deposition</i> (Stamboulieh, Stephen) (Entered: 02/04/2020)
02/04/2020	<a href="#">34</a>	CERTIFICATE OF SERVICE by David Kikukawa, Todd Yukutake <i>Notice of Deposition</i> (Stamboulieh, Stephen) (Entered: 02/04/2020)
02/04/2020	<a href="#">35</a>	STIPULATED PROTECTIVE ORDER; EXHIBIT A - Signed by MAGISTRATE JUDGE ROM TRADER on 2/4/2020. (jo) (Entered: 02/04/2020)
02/04/2020	<a href="#">36</a>	NOTICE of Appearance by Ryan M. Akamine on behalf of Clare E. Connors on behalf of Clare E. Connors. (Akamine, Ryan) (Entered: 02/04/2020)
02/04/2020	<a href="#">37</a>	CERTIFICATE OF SERVICE by City and County of Honolulu <i>RE: Defendant City and County of Honolulu's Second Request for Answers to Interrogatories to Plaintiff David Kikukawa</i> (Winter, Nicolette) (Entered: 02/04/2020)
02/04/2020	<a href="#">38</a>	CERTIFICATE OF SERVICE by City and County of Honolulu <i>RE: Defendant City and County of Honolulu's Second Request for Answers to Interrogatories to Plaintiff Todd</i>



		Yukutake (Winter, Nicolette) (Entered: 02/04/2020)
02/07/2020	<a href="#">39</a>	CERTIFICATE OF SERVICE by City and County of Honolulu ( <i>Re: City and County of Honolulu's First Supplemental Response to Plaintiffs' First Set of Interrogatories to Defendant City and County of Honolulu dated December 17, 2019</i> ) (Winter, Nicolette) (Entered: 02/07/2020)
02/07/2020	<a href="#">40</a>	CERTIFICATE OF SERVICE by City and County of Honolulu ( <i>Re: Defendant City and County of Honolulu's First Supplemental Response to Plaintiffs' First Set of Admissions to Defendant City and County of Honolulu</i> ) (Winter, Nicolette) (Entered: 02/07/2020)
02/10/2020	<a href="#">41</a>	CERTIFICATE OF SERVICE by City and County of Honolulu ( <i>Re: Defendant City and County of Honolulu's First Request for Admissions to Plaintiff David Kikukawa</i> ) (Winter, Nicolette) (Entered: 02/10/2020)
02/10/2020	<a href="#">42</a>	CERTIFICATE OF SERVICE by City and County of Honolulu ( <i>Re: Defendant City and County of Honolulu's First Request for Admissions to Plaintiff Todd Yukutake</i> ) (Winter, Nicolette) (Entered: 02/10/2020)
02/10/2020	<a href="#">43</a>	CERTIFICATE OF SERVICE by City and County of Honolulu ( <i>Re: Defendant City and County of Honolulu's First Request for Production of Documents to Plaintiffs</i> ) (Winter, Nicolette) (Entered: 02/10/2020)
02/10/2020	<a href="#">44</a>	CERTIFICATE OF SERVICE by City and County of Honolulu ( <i>Re: Defendant City and County of Honolulu's Third Request for Answers to Interrogatories to Plaintiff Todd Yukutake</i> ) (Winter, Nicolette) (Entered: 02/10/2020)
02/10/2020	<a href="#">45</a>	CERTIFICATE OF SERVICE by City and County of Honolulu ( <i>Re: Defendant City and County of Honolulu's Third Request for Answers to Interrogatories to Plaintiff David Kikukawa</i> ) (Winter, Nicolette) (Entered: 02/10/2020)
02/14/2020	<a href="#">46</a>	NOTICE by David Kikukawa, Todd Yukutake re <a href="#">34</a> Certificate of Service, <a href="#">33</a> Certificate of Service <i>Canceling Depositions set for 2/28/2020</i> David Kikukawa, Todd Yukutake. (Stamboulieh, Stephen) (Entered: 02/14/2020)
02/21/2020	<a href="#">47</a>	CERTIFICATE OF SERVICE by Clare E. Connors [ <i>Re: Defendant Clare E. Connors, In Her Official Capacity As The Attorney General Of The State Of Hawaii's Response To Plaintiffs' First Set Of Request For Admissions</i> ] (Inagaki, Caron) (Entered: 02/21/2020)
02/21/2020	<a href="#">48</a>	CERTIFICATE OF SERVICE by Clare E. Connors [ <i>Re: Defendant Clare E. Connors, In Her Official Capaic As The Attorney General Of The State Of Hawaii's Response To Plailntiffs' First Set Of Interrogatories To Defendant Clare E. Connors</i> ] (Inagaki, Caron) (Entered: 02/21/2020)
02/21/2020	<a href="#">49</a>	CERTIFICATE OF SERVICE by Clare E. Connors [ <i>Re: Defendant Clare E. Connors, In Her Official Capacity As The Attorney General Of The State Of Hawaii's Response To Plaintiffs' First Set Of Requests For Production Of Documents To Defendant Clare E. Connors</i> ] (Inagaki, Caron) (Entered: 02/21/2020)
04/06/2020	50	EO: The Court rescheduled the Telephone Conference previously set for 04/07/2020 at 9:00 a.m. to 04/07/2020 at <b>9:15 a.m.</b> in Courtroom 5 before MAGISTRATE JUDGE ROM TRADER. Courtroom Manager to provide dial in instructions. (MAGISTRATE JUDGE ROM TRADER)(jp) (Entered: 04/06/2020)
04/07/2020	<a href="#">51</a>	EP: TELEPHONE CONFERENCE held.  Discussion had.

		<p>Parties report settlement, subject to City Council approval, between Plaintiffs and Defendant City and County of Honolulu. Settlement approval to be taken up by the City Council at the meeting scheduled for 05/06/2020. If settlement is approved, Mr. Kohn is excused from the upcoming 06/09/2020 status conference.</p> <p>Plaintiff and Defendant Connors report discovery ongoing. Court encourages counsel to discuss protocols for taking depositions remotely.</p> <p>Telephone Conference set for 06/09/2020 at 9:00 a.m. before Magistrate Judge Trader. Courtroom Manager to provide dial-in instructions.</p> <p>(Court Reporter No Record.) (MAGISTRATE JUDGE ROM TRADER)(jp) (Entered: 04/07/2020)</p>
06/09/2020	<a href="#">52</a>	<p>EP: TELEPHONE CONFERENCE held.</p> <p>Discussion had.</p> <p>Settlement reached between Plaintiff and Defendant City and County of Honolulu. Anticipate dismissal as to City and County of Honolulu to be filed.</p> <p>As to remaining parties, discovery ongoing. Parties anticipate case will be resolved via summary judgment. Parties request guidance as to the filing of separate motions for summary judgment.</p> <p>Court sets a Telephone Conference in conjunction with Settlement Conference scheduled for 10/13/2020 at 10:00 a.m. before Magistrate Judge Trader. Confidential Settlement Conference Statements due by 10/06/2020.</p> <p>(Court Reporter No Record.) (MAGISTRATE JUDGE ROM TRADER)(jp) (Entered: 06/09/2020)</p>
06/12/2020	<a href="#">53</a>	<p>JOINT STIPULATION FOR DISMISSAL WITH PREJUDICE OF ALL CLAIMS BY PLAINTIFFS AGAINST DEFENDANT CITY AND COUNTY OF HONOLULU; ORDER - Signed by CHIEF JUDGE J. MICHAEL SEABRIGHT on 6/12/2020. Defendant City and County of Honolulu terminated (jo) (Entered: 06/12/2020)</p>
07/20/2020	<a href="#">54</a>	<p>MOTION for Summary Judgment Stephen D. Stamboulieh appearing for Plaintiffs David Kikukawa, Todd Yukutake (Attachments: # <a href="#">1</a> Memorandum, # <a href="#">2</a> Certificate of Service) (Stamboulieh, Stephen) (Entered: 07/20/2020)</p>
07/20/2020	<a href="#">55</a>	<p>CONCISE STATEMENT of Facts re <a href="#">54</a> MOTION for Summary Judgment filed by David Kikukawa, Todd Yukutake. (Attachments: # <a href="#">1</a> Declaration of Counsel, # <a href="#">2</a> Exhibit A Responses to Interrogatories, # <a href="#">3</a> Exhibit B SB2954, # <a href="#">4</a> Exhibit C Responses to Request for Production of Documents, # <a href="#">5</a> Exhibit D Responses to Request for Admission, # <a href="#">6</a> Certificate of Service)(Stamboulieh, Stephen) (Entered: 07/20/2020)</p>
07/20/2020	56	<p>NOTICE of Hearing on Motion - <a href="#">54</a> MOTION for Summary Judgment is set for 10/19/2020 at 10:00 AM before CHIEF JUDGE J. MICHAEL SEABRIGHT.</p> <p>Given the current public health crisis, the court will notify the parties in due course whether the hearing will be held in court, by video conference, by telephone conference, or whether the matter will be submitted without a hearing under Local Rule 7.1(c). If all parties jointly desire one of those particular options, they may submit a letter request to Seabright_orders@hid.uscourts.gov.</p>

		(CHIEF JUDGE J. MICHAEL SEABRIGHT)(rlfh) (Entered: 07/20/2020)
08/05/2020	<a href="#">57</a>	MOTION for Leave to File <i>Defendant Clare E. Connors, in her official capacity as the Attorney General of the State of Hawaii's Motion for Leave to Exceed Page Limit in Local Rule 7.4(a)</i> Kendall J. Moser appearing for Defendant Clare E. Connors (Attachments: # <a href="#">1</a> Memorandum, # <a href="#">2</a> Declaration Kendall J. Moser, # <a href="#">3</a> Certificate of Service)(Moser, Kendall) (Entered: 08/05/2020)
08/06/2020	58	EO: Defendant's Motion for Leave to Exceed Page Limit, ECF No. <a href="#">57</a> , is GRANTED. The memorandum is not to exceed 30 pages, or the equivalent word count.  (CHIEF JUDGE J. MICHAEL SEABRIGHT)(rlfh) (Entered: 08/06/2020)
08/10/2020	<a href="#">59</a>	Email to Chief Judge J. Michael Seabright from Stephen D. Stamboulieh, Esq., dated July 30, 2020, Re: Response by the parties to ECF 56 - "To the extent the Court believes oral argument would be helpful, Plaintiffs' counsel would prefer to appear telephonically at the hearing and Defendants' counsel stated that a telephonic or video conference hearing would be fine with them." (jo) (Entered: 08/10/2020)
08/12/2020	<a href="#">60</a>	MOTION for Summary Judgment <i>Defendant Clare E. Connors, in her official capacity as the Attorney General of the State of Hawaii's (1) Counter Motion for Summary Judgment, and (2) Memorandum in Opposition to Plaintiffs' Motion for Summary Judgment</i> Kendall J. Moser appearing for Defendant Clare E. Connors (Attachments: # <a href="#">1</a> Memorandum, # <a href="#">2</a> Certificate of Service)(Moser, Kendall) (Entered: 08/12/2020)
08/12/2020	<a href="#">61</a>	CONCISE STATEMENT in Opposition re <a href="#">54</a> MOTION for Summary Judgment <i>Defendant Clare E. Connors, in her official capacity as the Attorney General of the State of Hawaii's (1) Opposition to Plaintiffs' Separate Concise Statement of Material Facts in Support of Motion for Summary Judgment, and (2) Concise Statement of Material Facts in Support of Counter Motion for Summary Judgment</i> filed by Clare E. Connors. (Attachments: # <a href="#">1</a> Declaration KENDALL J. MOSER, # <a href="#">2</a> Exhibit A, # <a href="#">3</a> Exhibit B, # <a href="#">4</a> Exhibit C, # <a href="#">5</a> Exhibit D, # <a href="#">6</a> Exhibit E, # <a href="#">7</a> Exhibit F, # <a href="#">8</a> Exhibit G, # <a href="#">9</a> Exhibit H, # <a href="#">10</a> Exhibit I, # <a href="#">11</a> Exhibit J, # <a href="#">12</a> Exhibit K, # <a href="#">13</a> Exhibit L, # <a href="#">14</a> Exhibit M, # <a href="#">15</a> Exhibit N, # <a href="#">16</a> Exhibit O, # <a href="#">17</a> Certificate of Service)(Moser, Kendall) (Entered: 08/12/2020)
08/12/2020	62	NOTICE of Hearing on Motion <a href="#">60</a> MOTION for Summary Judgment Defendant Clare E. Connors, in her official capacity as the Attorney General of the State of Hawaii's (1) Counter Motion for Summary Judgment, and (2) Memorandum in Opposition to Plaintiffs' Motion for Summary is set for 10/19/2020 at 10:00 AM before CHIEF JUDGE J. MICHAEL SEABRIGHT.  Given the current public health crisis, the court will notify the parties in due course whether the hearing will be held in court, by video conference, by telephone conference, or whether the matter will be submitted without a hearing under Local Rule 7.1(c). If all parties jointly desire one of those particular options, they may submit a letter request to Seabright_orders@hid.uscourts.gov.  (CHIEF JUDGE J. MICHAEL SEABRIGHT)(rlfh) (Entered: 08/12/2020)
08/19/2020	<a href="#">63</a>	NOTICE of Appearance by Pamela W. Bunn on behalf of Everytown For Gun Safety Support Fund (Bunn, Pamela) (Entered: 08/19/2020)
08/19/2020	<a href="#">64</a>	MOTION for Leave to File <i>Motion for Leave to File Brief of Everytown for Gun Safety as Amicus Curiae</i> Pamela W. Bunn appearing for Amicus Everytown For Gun Safety Support Fund (Attachments: # <a href="#">1</a> Exhibit Amicus Curiae Brief, # <a href="#">2</a> Certificate of Compliance)(Bunn, Pamela) (Entered: 08/19/2020)



08/20/2020	<a href="#">65</a>	RESPONSE in Opposition re <a href="#">64</a> MOTION for Leave to File <i>Motion for Leave to File Brief of Everytown for Gun Safety as Amicus Curiae</i> filed by David Kikukawa, Todd Yukutake. (Attachments: # <a href="#">1</a> Certificate of Service)(Stamboulieh, Stephen) (Entered: 08/20/2020)
08/21/2020	<a href="#">66</a>	Joint MOTION to Continue <i>Pretrial and Trial Deadlines</i> Stephen D. Stamboulieh appearing for Plaintiffs David Kikukawa, Todd Yukutake (Attachments: # <a href="#">1</a> Certificate of Service)(Stamboulieh, Stephen) (Entered: 08/21/2020)
08/24/2020	67	EO: The Motion for Leave to File Brief of Everytown for Gun Safety, ECF No. <a href="#">64</a> , is GRANTED. The amicus brief at ECF No. 64-1 is deemed filed.  (CHIEF JUDGE J. MICHAEL SEABRIGHT)(rlfh) (Entered: 08/24/2020)
08/24/2020	68	EO: Motion Hearing is set for 10/08/2020 at 9:30 a.m. before MAGISTRATE JUDGE ROM TRADER for ECF <a href="#">66</a> Joint MOTION to Continue <i>Pretrial and Trial Deadlines</i> .  In accordance with the <i>August 13, 2020 Temporary General Order Regarding District of Hawaii Response to COVID-19 Pandemic</i> , this hearing <b>will be held telephonically</b> .  Parties and other participants must call-in at least five (5) minutes prior to the scheduled start time of the hearing. Call-in instructions are below:  1. Dial <b>1-888-363-4735</b> . 2. Enter Access Code ( <b>2070326</b> ) when prompted <b>followed by the pound (#) sign</b> . 3. Message will say <i>"To join the conference as host press star (*) otherwise press pound (#)</i> . 4. <b>Press pound (#)</b> . Message will say <i>"The host has not yet arrived, please standby."</i> 5. You will hear <i>"At the tone state your name."</i> You will then be connected to the Conference.  (MAGISTRATE JUDGE ROM TRADER)(jp) (Entered: 08/24/2020)
09/28/2020	<a href="#">69</a>	CONCISE STATEMENT in Opposition re <a href="#">60</a> MOTION for Summary Judgment Defendant Clare E. Connors, in her official capacity as the Attorney General of the State of Hawaii's (1) Counter Motion for Summary Judgment, and (2) Memorandum in Opposition to Plaintiffs' Motion for Summary filed by David Kikukawa, Todd Yukutake (Attachments: # <a href="#">1</a> Declaration Stephen D. Stamboulieh, # <a href="#">2</a> Exhibit 1 City Responses to 1st RFA, # <a href="#">3</a> Exhibit 2 City Responses to 1st INT, # <a href="#">4</a> Exhibit 3 1988 Act 275, # <a href="#">5</a> Exhibit 4 1984 Act 178, # <a href="#">6</a> Exhibit 5 SCRep. 464-88, # <a href="#">7</a> Exhibit 6 Firearms Permit Application and forms, # <a href="#">8</a> Certificate of Service (Stamboulieh, Stephen) (Entered: 09/28/2020)
09/28/2020	<a href="#">70</a>	MEMORANDUM in Opposition re <a href="#">60</a> MOTION for Summary Judgment Defendant Clare E. Connors, in her official capacity as the Attorney General of the State of Hawaii's (1) Counter Motion for Summary Judgment, and (2) Memorandum in Opposition to Plaintiffs' Motion for Summary filed by David Kikukawa, Todd Yukutake (Attachments: # <a href="#">1</a> Memorandum in Opposition, # <a href="#">2</a> Certificate of Service)(Stamboulieh, Stephen) (Entered: 09/28/2020)
10/05/2020	<a href="#">71</a>	REPLY re <a href="#">60</a> MOTION for Summary Judgment <i>Defendant Clare E. Connors, in her official capacity as the Attorney General of the State of Hawaii's (1) Counter Motion for Summary Judgment, and (2) Memorandum in Opposition to Plaintiffs' Motion for Summary Defendant Clare E. Connors, in her official capacity as the Attorney General of the State of Hawaii's Reply Memoradum in Support of Counter Motion for Summary Judgment</i> filed by Clare E. Connors. (Attachments: # <a href="#">1</a> Certificate of Service)(Moser, Kendall) (Entered: 10/05/2020)

10/08/2020

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EP: MOTION HEARING regarding *Joint Motion to Continue Pretrial and Trial Deadlines* (Motion) (ECF [66](#)) held.

Arguments heard.

Court **DENIES** Motion, to the extent it seeks suspension of dates and deadlines.

Finding that good cause exists, the Court **GRANTS** Motion and continues jury trial from 1/12/2021 to **7/13/2021 at 9:00 a.m.** before District Judge Seabright. All unexpired deadlines will be adjusted consistent with the new trial date. Any expired deadlines to remain closed.

Mr. Beck to submit proposed order by 10/15/2020 to [Trader\\_Orders@hid.uscourts.gov](mailto:Trader_Orders@hid.uscourts.gov).

Court sets a Telephone Conference for 1/6/2021 at 9:00 a.m. before Magistrate Judge Trader. Parties and other participants must call-in at least five (5) minutes prior to the scheduled start time of the conference. Call-in instructions are below:

1. Dial **1-888-363-4735**.
2. Enter Access Code (**2070326**).

Court **VACATES** the Settlement Conference set for 10/13/2020 at 10:00 a.m. before Magistrate Judge Trader.

Amended Rule 16 Scheduling Order to issue.

Dates given:

Final Pretrial Conference is set for 6/1/2021 at 09:00 AM before MAGISTRATE JUDGE ROM TRADER.

Jury Selection/Trial is set for 09:00 AM on 7/13/2021 before CHIEF JUDGE J. MICHAEL SEABRIGHT.

Settlement Conference is set for 4/12/2021 at 10:00 AM before MAGISTRATE JUDGE ROM TRADER.

Telephone Conference is set for 1/6/2021 at 09:00 AM before MAGISTRATE JUDGE ROM TRADER.

Discovery due by 5/14/2021.

(ATT / 9:40 - 9:45 a.m.)

(MAGISTRATE JUDGE ROM TRADER)(laa) (Entered: 10/08/2020)

10/09/2020

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AMENDED RULE 16 SCHEDULING ORDER - Signed by MAGISTRATE JUDGE ROM TRADER on 10/8/2020.  
(jo) (Entered: 10/09/2020)

10/13/2020

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EO: Hearing on [54](#) Plaintiffs' Motion for Summary Judgment and [60](#) MOTION for Summary Judgment Defendant Clare E. Connors, in her official capacity as the Attorney General of the State of Hawaii's (1) Counter Motion for Summary Judgment, and (2) Memorandum in Opposition to Plaintiffs' Motion for Summary set for 10/19/2020 at 10:00 AM before CHIEF JUDGE J. MICHAEL SEABRIGHT will be conducted by video tele-conference ("VTC"). Courtroom manager to provide the Parties with VTC connection information.

(CHIEF JUDGE J. MICHAEL SEABRIGHT)(rlfh) Modified on 10/13/2020 (rlfh).  
(Entered: 10/13/2020)

10/14/2020	<a href="#">75</a>	ORDER GRANTING IN PART AND DENYING IN PART JOINT MOTION TO CONTINUE PRETRIAL AND TRIAL DEADLINES <i>re</i> : <a href="#">66</a> - Signed by MAGISTRATE JUDGE ROM TRADER on 10/14/2020. Follows oral order of 10/8/2020 Hearing at ECF <a href="#">72</a> (jo) (Entered: 10/14/2020)
10/16/2020	76	EO: During the October 19, 2020 hearing, the parties should be prepared to address (in addition to any other argument) two specific matters. First, what is the impact of the recent amendment to HRS Section 134-3, which now unambiguously requires in-person registration within five days of acquiring a firearm. <i>See</i> H.B. 2744, H.D. 1 S.D. 2, 30th Leg., Reg. Sess. (enacted into law Sept. 16, 2020). In particular, the parties should be prepared to address how this change affects Plaintiffs' current challenge to Section 143-3, as well as Defendant's argument that the requirements of Section 134-3 are longstanding. Second, the court would like to understand the parties' positions regarding the effect of Plaintiffs' settlement with the City and County of Honolulu on the claims in the present action.  (CHIEF JUDGE J. MICHAEL SEABRIGHT)(rlfh) (Entered: 10/16/2020)
10/19/2020	<a href="#">77</a>	EP: Hearing on the parties' cross-motions for summary judgment was held on October 19, 2020. The court and the parties discussed the recent amendment of one of the provisions at issue in the case, HRS § 134-3(c), which was enacted into law while the parties' present Motions were pending. In light of this legislative change and by agreement of the court and the parties, the pending Motions for Summary Judgment, ECF Nos. 54 and 60, are denied without prejudice (and to be clear, without consideration of the merits). Further, Plaintiff is required to file an amended complaint to clarify the statutory provisions at issue in this case by no later than <b>Monday, November 2, 2020</b> .  The court and the parties also discussed the high likelihood that the Ninth Circuit will provide guidance relevant to this case in its en banc decision in <i>Young v. State of Hawaii</i> , No. 12-17808. Accordingly, after Plaintiffs file their amended complaint, this case will be stayed until the Ninth Circuit issues its opinion in <i>Young</i> . The court and the parties will schedule a status conference within a week of that opinion's publication. (Reporter-Cynthia Fazio)  (CHIEF JUDGE J. MICHAEL SEABRIGHT)(tyk) (Entered: 10/19/2020)
10/30/2020	<a href="#">78</a>	<b>First AMENDED COMPLAINT</b> against Clare E. Connors, filed by Todd Yukutake, David Kikukawa. (Attachments: # <a href="#">1</a> Certificate of Service)(Beck, Alan) Modified on 10/30/2020 (jo) (Entered: 10/30/2020)
10/30/2020	79	EO: In light of the stay in this case pending issuance of the Ninth Circuit's en banc opinion in <i>Young v. State of Hawaii</i> , No. 12-17808, the court further orders that the case be administratively closed. <i>See, e.g., Penn West Assocs., Inc. v. Cohen</i> , 371 F.3d 118, 127-28 (3d Cir. 2004) (explaining that administrative closings "compromise a familiar, albeit essentially ad hoc, way in which courts remove cases from their active files without making any final adjudication" and are "an administrative convenience which allows the removal of cases from the [docket] in appropriate situations [.]") (citations omitted). This case shall be administratively reopened upon the Ninth Circuit's issuance of its en banc opinion in <i>Young</i> or upon further order of this court, which may be based on the court's own motion or a party's motion. The deadline for filing an answer to the First Amended Complaint shall be tolled until the case is administratively reopened.  The closing of this case is solely an administrative matter and does not impact--in any manner--any party's rights or obligations, has no impact on any limitation period

		<p>applicable to this case, does not alter in any manner any previous rulings by the court, and does not require a filing fee to reopen the case.</p> <p>(CHIEF JUDGE J. MICHAEL SEABRIGHT)(rlfh) (Entered: 10/30/2020)</p>
03/25/2021	80	<p>EO: On October 30, 2020, the court stayed and administratively closed this case until the Ninth Circuit decided <i>Young v. State of Hawaii</i>, No. 12-7808. ECF Nos. <a href="#">77</a> &amp; 79 . On March 24, 2021, the Ninth Circuit issued its decision in <i>Young</i>. Accordingly, the stay in this case is LIFTED and the case is administratively reopened. A status conference will be held within the next week.</p> <p>(CHIEF JUDGE J. MICHAEL SEABRIGHT)(rlfh) (Entered: 03/25/2021)</p>
03/29/2021	81	<p>EO: Telephonic Status Conference is set for 04/01/2021 at 10:00 AM before CHIEF JUDGE J. MICHAEL SEABRIGHT.</p> <p>Parties are to participate via the court's AT&amp;T teleconference services. Call-in information for this conference is below. Parties must connect to the conference at least five (5) minutes prior to the scheduled start time of the hearing.</p> <p>Call-in number: 1-888-684-8852 Access Code: 5551921</p> <p>All hearings are strictly prohibited from being recorded or broadcasted, in whole or in part, in any fashion.</p> <p>(CHIEF JUDGE J. MICHAEL SEABRIGHT)(rlfh) (Entered: 03/29/2021)</p>
03/29/2021	82	<p>EO: Due to a conflict in the Court's calendar, Telephonic Status Conference set for 04/01/2021 is continued to 04/06/2021 at 11:00 AM before CHIEF JUDGE J. MICHAEL SEABRIGHT.</p> <p>Parties are to participate via the court's AT&amp;T teleconference services. Call-in information for this conference is below. Parties must connect to the conference at least five (5) minutes prior to the scheduled start time of the hearing.</p> <p>Call-in number: 1-888-684-8852 Access Code: 5551921</p> <p>All hearings are strictly prohibited from being recorded or broadcasted, in whole or in part, in any fashion.</p> <p>(CHIEF JUDGE J. MICHAEL SEABRIGHT)(rlfh) (Entered: 03/29/2021)</p>
04/06/2021	<a href="#">83</a>	<p>EP: Status conference conducted by telephone conference held.</p> <p>Discussion held.</p> <p>Plaintiffs to file their motion for summary judgment briefing by 05/07/2021. At that time, the court will set a hearing date. Given the current public health crisis, the court will notify the parties in due course whether the hearing will be held in court, by video conference, by telephone conference, or whether the matter will be submitted without a hearing under Local Rule 7.1(c). If all parties jointly desire one of those particular options, they may submit a letter request to Seabright_orders@hid.uscourts.gov.</p> <p>Parties were directed to contact Magistrate Judge Trader to reset other dates and deadlines.</p>

		(Reporter-Cynthia Fazio) (CHIEF JUDGE J. MICHAEL SEABRIGHT)(nm) (Entered: 04/06/2021)
04/12/2021	<a href="#">84</a>	ANSWER to <a href="#">78</a> Amended Complaint for Declaratory and Injunctive Relief by Clare E. Connors. (Attachments: # <a href="#">1</a> Certificate of Service)(Moser, Kendall) (Entered: 04/12/2021)
04/28/2021	<a href="#">85</a>	MOTION for Summary Judgment Stephen D. Stamboulieh appearing for Plaintiffs David Kikukawa, Todd Yukutake (Attachments: # <a href="#">1</a> Memorandum, # <a href="#">2</a> Certificate of Service) (Stamboulieh, Stephen) (Entered: 04/28/2021)
04/28/2021	<a href="#">86</a>	CONCISE STATEMENT of Facts re <a href="#">85</a> MOTION for Summary Judgment filed by David Kikukawa, Todd Yukutake. (Attachments: # <a href="#">1</a> Declaration of Counsel, # <a href="#">2</a> Exhibit A Def. Interrogatory Responses, # <a href="#">3</a> Exhibit B 2020 Firearm Registration Report, # <a href="#">4</a> Exhibit C 2019 Firearm Registration Report, # <a href="#">5</a> Exhibit D 2018 Firearm Registration Report, # <a href="#">6</a> Exhibit E 2017 Firearm Registration Report, # <a href="#">7</a> Exhibit F Firearm Permit Application, # <a href="#">8</a> Exhibit G SB2954, # <a href="#">9</a> Exhibit H Defendant's RPD Responses, # <a href="#">10</a> Certificate of Service Certificate of Service)(Stamboulieh, Stephen) Modified on 4/29/2021 (jo) (Entered: 04/28/2021)
04/30/2021	87	EO: On April 28, 2021, Plaintiffs Todd Yukutake and David Kikukawa filed a Motion for Summary Judgment. ECF No. <a href="#">85</a> . This motion is set for hearing on June 28, 2021 at 10am.  Given the current public health crisis, the court will notify the parties in due course whether the hearing will be held in court, by video conference, by telephone conference, or whether the matter will be submitted without a hearing under Local Rule 7.1(c). If all parties jointly desire one of those particular options, they may submit a letter request to Seabright_orders@hid.uscourts.gov.  (CHIEF JUDGE J. MICHAEL SEABRIGHT) (afe) (Entered: 04/30/2021)
05/12/2021	88	EO: Court sets a Telephone Conference for 5/20/2021 at 09:00 AM before MAGISTRATE JUDGE ROM TRADER.  Parties and other participants must call-in at least five (5) minutes prior to the scheduled start time of the conference. Call-in instructions are below:  1. Dial <b>1-888-363-4735</b> . 2. Access Code <b>2070326</b> .  (MAGISTRATE JUDGE ROM TRADER)(laa) (Entered: 05/12/2021)
05/20/2021	<a href="#">89</a>	EP: TELEPHONE CONFERENCE held.  Discussion had. In light of Plaintiffs' ECF <a href="#">85</a> Motion for Summary Judgment set for hearing before Chief District Judge Seabright on 6/28/2021, the parties jointly request continuance of trial.  Based upon the agreement of the parties and the Court's finding of good cause, Jury Trial is <b>CONTINUED</b> from 7/13/2021 to <b>2/23/2022</b> at <b>8:30 a.m.</b> before Chief District Judge Seabright. All unexpired deadlines to be adjusted consistent with the new trial date. Except for the discovery deadline, all other expired deadlines to remain closed.  Second Amended Rule 16 Order to issue.



		<p>Dates given:</p> <p>Jury Selection/Trial is set for <b>2/23/2022</b> at <b>08:30 AM</b> before CHIEF JUDGE J. MICHAEL SEABRIGHT.</p> <p>Final Pretrial Conference is set for 1/11/2022 at 09:00 AM before MAGISTRATE JUDGE ROM TRADER.</p> <p>Confidential Settlement Conference is set for 12/2/2021 at 10:00 AM before MAGISTRATE JUDGE ROM TRADER.</p> <p>Confidential Settlement Conference statements due by 11/26/2021 to <a href="mailto:Trader_Orders@hid.uscourts.gov">Trader_Orders@hid.uscourts.gov</a></p> <p>Discovery due by 12/27/2021.</p> <p>(ATT / 9:00 - 9:05 a.m.)</p> <p>(MAGISTRATE JUDGE ROM TRADER)(laa) (Entered: 05/20/2021)</p>
05/20/2021	<a href="#">90</a>	SECOND AMENDED RULE 16 SCHEDULING ORDER - Signed by MAGISTRATE JUDGE ROM TRADER on 5/20/2021. (emt, ) (Entered: 05/20/2021)
05/28/2021	<a href="#">91</a>	Counter MOTION for Summary Judgment <i>and (2) Memorandum in Opposition to <a href="#">85</a> Plaintiffs' Motion for Summary Judgment</i> Kendall J. Moser appearing for Defendant Clare E. Connors (Attachments: # <a href="#">1</a> Memorandum <i>In Support of Motion</i> , # <a href="#">2</a> Certificate of Service)(Moser, Kendall) Modified on 5/28/2021 (jo) (Entered: 05/28/2021)
05/28/2021	<a href="#">92</a>	CONCISE STATEMENT in Support re <a href="#">91</a> Counter MOTION for Summary Judgment <i>and (2) Memorandum in Opposition to Plaintiffs' Motion for Summary Judgment Defendant Clare E. Connors, in her official capacity as the Attorney General of the State of Hawaii's (1) Opposition to Plaintiffs' Separate Concise Statement of Material Facts in Support of Motion for Summary Judgment, and (2) Concise Statement of Material of Facts in Support of Counter Motion for Summary Judgment</i> filed by Clare E. Connors. (Attachments: # <a href="#">1</a> Declaration Kendall J. Moser, # <a href="#">2</a> Exhibit A, # <a href="#">3</a> Exhibit B, # <a href="#">4</a> Exhibit C, # <a href="#">5</a> Exhibit D, # <a href="#">6</a> Exhibit E, # <a href="#">7</a> Exhibit F, # <a href="#">8</a> Exhibit G, # <a href="#">9</a> Exhibit H, # <a href="#">10</a> Exhibit I, # <a href="#">11</a> Exhibit J, # <a href="#">12</a> Exhibit K, # <a href="#">13</a> Exhibit L, # <a href="#">14</a> Exhibit M, # <a href="#">15</a> Exhibit N, # <a href="#">16</a> Exhibit O, # <a href="#">17</a> Exhibit P, # <a href="#">18</a> Exhibit Q, # <a href="#">19</a> Exhibit R, # <a href="#">20</a> Exhibit S, # <a href="#">21</a> Certificate of Service)(Moser, Kendall) (Entered: 05/28/2021)
06/03/2021	<a href="#">93</a>	NOTICE of Hearing on Motion - <a href="#">91</a> Counter MOTION for Summary Judgment <i>and (2) Memorandum in Opposition to Plaintiffs' Motion for Summary Judgment</i> is set for 06/28/2021 at 10:00 AM before CHIEF JUDGE J. MICHAEL SEABRIGHT.  Given the current public health crisis, the court will notify the parties in due course whether the hearing will be held in court, by video conference, by telephone conference, or whether the matter will be submitted without a hearing under Local Rule 7.1(c).  (CHIEF JUDGE J. MICHAEL SEABRIGHT)(rlfh) (Entered: 06/03/2021)
06/04/2021	<a href="#">94</a>	MOTION for Leave to File <i>Brief of Everytown for Gun Safety as Amicus Curiae</i> Pamela W. Bunn appearing for Amicus Everytown For Gun Safety Support Fund (Attachments: # <a href="#">1</a> Exhibit A)(Bunn, Pamela) (Entered: 06/04/2021)
06/07/2021	<a href="#">95</a>	<del>RESPONSE</del> in <del>REPLY</del> and Opposition re <a href="#">91</a> Counter MOTION for Summary Judgment <i>and (2) Memorandum in Opposition to Plaintiffs' Motion for Summary Judgment</i> filed by David Kikukawa, Todd Yukutake (Attachments: # <a href="#">1</a> Memorandum <i>In Opposition</i> , # <a href="#">2</a> Certificate of Service)(Stamboulieh, Stephen)

		Modified on 6/8/2021 (jo) (Entered: 06/07/2021)
06/07/2021	<a href="#">96</a>	CONCISE STATEMENT in Opposition re <a href="#">91</a> Counter MOTION for Summary Judgment and (2) <i>Memorandum in Opposition to Plaintiffs' Motion for Summary Judgment</i> filed by David Kikukawa, Todd Yukutake. (Attachments: # <a href="#">1</a> Certificate of Service)(Stamboulieh, Stephen) (Entered: 06/07/2021)
06/07/2021	97	EO: On June 4, 2021, Everytown For Gun Safety Support Fund ("Everytown") filed a Motion for leave to file a brief as amicus curiae, ECF No. <a href="#">94</a> . The court has previously granted Everytown leave to appear as amicus curiae in this case and is inclined to grant the Motion. Nevertheless, if Plaintiffs wish, they may file a statement of position by no later than <b>June 11, 2021</b> .  (CHIEF JUDGE J. MICHAEL SEABRIGHT)(rlfh) (Entered: 06/07/2021)
06/07/2021	<a href="#">98</a>	RESPONSE in Opposition re <a href="#">94</a> MOTION for Leave to File <i>Brief of Everytown for Gun Safety as Amicus Curiae</i> filed by David Kikukawa, Todd Yukutake. (Attachments: # <a href="#">1</a> Certificate of Service)(Stamboulieh, Stephen) (Entered: 06/07/2021)
06/14/2021	<a href="#">99</a>	RESPONSE in Support re <a href="#">91</a> Counter MOTION for Summary Judgment and (2) <i>Memorandum in Opposition to Plaintiffs' Motion for Summary Judgment</i> DEFENDANT CLARE E. CONNORS, IN HER OFFICIAL CAPACITY AS THE ATTORNEY GENERAL OF THE STATE OF HAWAII'S REPLY MEMORANDUM IN SUPPORT OF COUNTER MOTION FOR SUMMARY JUDGMENT filed by Clare E. Connors. (Attachments: # <a href="#">1</a> Certificate of Service)(Moser, Kendall) (Entered: 06/14/2021)
06/15/2021	100	EO: The Motion for Leave to File Brief of Everytown for Gun Safety as Amicus Curiae, ECF No. <a href="#">94</a> , is GRANTED. The amicus brief at ECF No. 94-1 is deemed filed.  (CHIEF JUDGE J. MICHAEL SEABRIGHT)(rlfh) (Entered: 06/15/2021)
06/22/2021	101	EO: Hearing on <a href="#">85</a> Plaintiffs' Motion for Summary Judgment and <a href="#">91</a> Defendant's Counter Motion for Summary Judgment set for 6/28/2021 at 10:00 AM will be held in Aha Kaulike. Plaintiffs' Counsel will be allowed to appear by video teleconference ("VTC"). Courtroom manager to provide VTC connection information.  (CHIEF JUDGE J. MICHAEL SEABRIGHT)(rlfh) (Entered: 06/22/2021)
06/28/2021	<a href="#">102</a>	EP: Hearing on Plaintiffs' Motion for Summary Judgment and Defendant Clare E. Connors' Counter Motion for Summary Judgment held.  Mr. Alan Beck, present via video teleconference.  Discussion held.  Oral arguments heard.  <a href="#">85</a> Plaintiffs' Motion for Summary Judgment - Court to issue a written order.  <a href="#">91</a> Defendant Clare E. Connors, in her Official Capacity as the Attorney General of the State of Hawaii's Counter Motion for Summary Judgment - Court to issue a written order.  (Reporter-Cynthia Fazio) (CHIEF JUDGE J. MICHAEL SEABRIGHT)(rlfh) (Entered: 06/28/2021)
07/13/2021	<a href="#">103</a>	SUPPLEMENT re <a href="#">85</a> MOTION for Summary Judgment filed by Todd Yukutake, David Kikukawa by David Kikukawa, Todd Yukutake <i>Notice of Supplemental Authority</i> LR7.6.

		(Attachments: # <u>1</u> Certificate of Service)(Stamboulieh, Stephen) (Entered: 07/13/2021)
07/30/2021	104	<p>EO: Further hearing on <u>85</u> Plaintiffs' Motion for Summary Judgment and <u>91</u> Defendant's Counter Motion for Summary Judgment is set for 08/04/2021 at 09:00 AM before CHIEF JUDGE J. MICHAEL SEABRIGHT.</p> <p>This hearing will be conducted by video teleconference ("VTC"). Courtroom manager to provide the Parties with VTC connection information. The public may attend this conference (audio only) with the information provided below:</p> <p>Call-in: 1-650-479-3207 Access code: 1602226886</p> <p>(CHIEF JUDGE J. MICHAEL SEABRIGHT)(rlfh) (Entered: 07/30/2021)</p>
08/04/2021	<u>105</u>	<p>EP: Further Hearing on Plaintiffs' Motion for Summary Judgment and Defendant's Counter Motion for Summary Judgment conducted by video teleconference held.</p> <p>Discussion held.</p> <p><u>85</u> Plaintiffs' Motion for Summary Judgment - Court's intent is to grant in whole. Court to issue a written order.</p> <p><u>91</u> Defendant Clare E. Connors, in her Official Capacity as the Attorney General of the State of Hawaii's Counter Motion for Summary Judgment - Court's intent is to deny in whole. Court to issue a written order.</p> <p>Defendant requested to delay entry of the judgment for 30-days so that it can determine a course of action. No objection from Plaintiff. The Court directed Counsel to confer and file proposed language to be included in its order by August 6, 2021.</p> <p>(Reporter-Cynthia Fazio) (CHIEF JUDGE J. MICHAEL SEABRIGHT) (rlfh) (Entered: 08/04/2021)</p>
08/09/2021	<u>106</u>	<p>STIPULATION Regarding Entry of Judgment by Clare E. Connors (jo) (Entered: 08/09/2021)</p>
08/16/2021	<u>107</u>	<p>ORDER GRANTING PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT AND DENYING DEFENDANT'S COUNTER MOTION FOR SUMMARY JUDGMENT re <u>85</u> , <u>91</u> - Signed by CHIEF JUDGE J. MICHAEL SEABRIGHT on 8/16/2021.</p> <p>Pursuant to the parties' Stipulation, ECF No. 106, and Federal Rule of Civil Procedure 58(b), entry of separate judgment in this action will be delayed until <u>September 15, 2021</u>. The Order shall not take effect and shall not be appealable until the separate judgment is entered. The Clerk's Office shall not close the case file at this time.</p> <p>(emt, ) (Entered: 08/16/2021)</p>
08/25/2021	<u>108</u>	<p>Letter (via email) to Chief Judge J. Michael Seabright from Kendall J. Moser, Esq., dated August 25, 2021, Re: Request for a Status Conference (jo) (Entered: 08/25/2021)</p>
08/26/2021	109	<p>EO: At Defendant's request, a Telephonic Status Conference is set for 08/30/2021 at 10:00 AM before CHIEF JUDGE J. MICHAEL SEABRIGHT.</p> <p>Parties are to participate via the court's AT&amp;T teleconference services. Call-in information for this conference is below. Parties must connect to the conference at least</p>

		<p>five (5) minutes prior to the scheduled start time of the hearing.</p> <p>Call-in number: 1-888-684-8852 Access Code: 5551921</p> <p>(CHIEF JUDGE J. MICHAEL SEABRIGHT)(rlfh) (Entered: 08/26/2021)</p>
08/30/2021	<a href="#">110</a>	<p>EP: Status conference conducted by telephone conference held.</p> <p>Discussion held.</p> <p>Defendant's Motion to Stay is due 8/31/2021. Plaintiffs' Response is due 9/7/2021. The Court will notify the parties if a Reply will be allowed and if a hearing on the motion is needed.</p> <p>Parties to meet and confer to discuss a continuance of the 9/15/2021 deadline for entry of judgment and Plaintiffs' deadline to respond to the Motion to Stay. A joint letter should be submitted to Judge Seabright's orders box.</p> <p>(Reporter-Cynthia Fazio) (CHIEF JUDGE J. MICHAEL SEABRIGHT)(shm) (Entered: 08/30/2021)</p>
08/30/2021	<a href="#">111</a>	<p>Letter (via email) to Chief Judge J. Michael Seabright from Stephen D. Stamboulieh, Esq., dated August 30, 2021, Re: joint request to stay entry of the judgment for an additional seven (7) days to allow the Plaintiffs additional time to respond to the Defendant's Motion</p> <p>(jo) (Entered: 08/30/2021)</p>
08/30/2021	112	<p>EO: On August 16, 2021, the court issued an Order granting summary judgment in favor of Plaintiffs, ECF No. 107. Entry of judgment on that order was delayed until September 15, 2021. <i>Id.</i></p> <p>On August 25, 2021, Defendant submitted a letter to the court requesting a status conference to discuss, among other things, Defendant's plan to file an appeal and to request a stay from the court pending that appeal. ECF No. 108. The court held a status conference with the parties on August 30, 2021, during which Defendant indicated that she would promptly be filing a motion to stay entry of judgment pending appeal. <i>See</i> ECF No. 110. After the status conference, the parties agreed to extend the stay on entry of judgment to allow time for briefing on Defendants forthcoming motion to stay. ECF No. 111. Accordingly, the court orders as follows:</p> <p>The stay on entry of judgment is EXTENDED until <b>September 22, 2021</b>. Defendant shall file her motion to stay pending appeal by <b>August 31, 2021</b>. Plaintiffs shall file a Response by <b>September 13, 2021</b>. The court will then determine whether to request any additional briefing and whether to hold a hearing on this motion.</p> <p>(CHIEF JUDGE J. MICHAEL SEABRIGHT)(shm) (Entered: 08/30/2021)</p>
08/31/2021	<a href="#">113</a>	<p>MOTION to Stay <i>Pending Appeal</i> Kendall J. Moser appearing for Defendant Clare E. Connors (Attachments: # <a href="#">1</a> Memorandum, # <a href="#">2</a> Declaration Kendall J. Moser, # <a href="#">3</a> Exhibit A, # <a href="#">4</a> Exhibit B, # <a href="#">5</a> Certificate of Service)(Moser, Kendall) (Entered: 08/31/2021)</p>
09/13/2021	<a href="#">114</a>	<p>RESPONSE in Opposition re <a href="#">113</a> MOTION to Stay <i>Pending Appeal</i> filed by David Kikukawa, Todd Yukutake. (Attachments: # <a href="#">1</a> Memorandum Memorandum, # <a href="#">2</a> Declaration Declaration of Counsel, # <a href="#">3</a> Exhibit Declaration of Jon Abbott, # <a href="#">4</a></p>

		Certificate of Service Certificate of Service)(Stamboulieh, Stephen) (Entered: 09/13/2021)
09/22/2021	115	<p>EO: On August 16, 2021, the court issued an Order granting summary judgment in favor of Plaintiffs, ECF No. <a href="#">107</a> . Entry of judgment on that order was delayed until September 15, 2021. <i>Id.</i> By agreement of the parties, the court extended entry of judgment until September 22, 2021. ECF No. 112 . The parties have also fully briefed Defendant's Motion to Stay Pending Appeal. ECF Nos. <a href="#">113</a> &amp; <a href="#">114</a> .</p> <p>The court notifies the parties that its order ruling on Defendant's Motion to Stay Pending Appeal will be filed on September 23, 2021. As a result, the entry of judgment will be entered by the court in Plaintiff's favor after the court enters its order addressing Defendant's Motion to Stay Pending Appeal.</p> <p>(CHIEF JUDGE J. MICHAEL SEABRIGHT)(rlfh) (Entered: 09/22/2021)</p>
09/23/2021	<a href="#">116</a>	<p>ORDER (1) CLARIFYING REMEDIES; AND (2) GRANTING IN PART AND DENYING IN PART DEFENDANT'S MOTION FOR STAY PENDING APPEAL, ECF NO. <a href="#">113</a> - Signed by CHIEF JUDGE J. MICHAEL SEABRIGHT on 9/23/2021.</p> <p>The 10-day permit use period and the in-person inspection and registration requirement are severed from their respective statutes and invalidated. The Defendant is enjoined from enforcing those provisions. Defendant's Motion for Stay Pending Appeal is GRANTED with respect to the court's injunction against enforcement of the 10-day permit use period in HRS § 134-2(e). But Defendant's Motion for Stay Pending Appeal is DENIED with respect to the court's injunction against enforcement of the in-person inspection and registration requirement in HRS § 134-3(c). The clerk of court is directed to enter Judgment in favor of Plaintiffs and close the case file.</p> <p>(jo) (Entered: 09/23/2021)</p>
09/23/2021	<a href="#">117</a>	<p>CLERK'S JUDGMENT entered 9/23/2021 pursuant to ECF Nos. <a href="#">107</a> ORDER GRANTING PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT AND DENYING DEFENDANT'S COUNTER MOTION FOR SUMMARY JUDGMENT and <a href="#">116</a> ORDER (1) CLARIFYING REMEDIES; AND (2) GRANTING IN PART AND DENYING IN PART DEFENDANT'S MOTION FOR STAY PENDING APPEAL, ECF NO. 113</p> <p>(jo) (Entered: 09/23/2021)</p>
09/28/2021	<a href="#">118</a>	<p>Letter (via email) to Chief Judge J. Michael Seabright from Stephen D. Stamboulieh, Esq., dated September 27, 2021, Re: Letter informing the court that the parties agree to stay attorneys' fees proceedings until Defendant's appeal is completed, and requesting that the court stay such proceedings or, alternatively, waive the pre-filing conference rule so Plaintiffs can file a motion to stay fee proceedings</p> <p>(jo) (Entered: 09/28/2021)</p>
09/28/2021	119	<p>EO: On September 28, 2021, Plaintiffs filed a letter informing the court that the parties agreed to stay any proceedings relating to attorneys' fees until after the completion of Defendant's impending appeal to the Ninth Circuit. <i>See</i> ECF No. <a href="#">118</a> . The letter thus requests that the court stay the deadline for filing motions for attorneys' fees. <i>See id.</i> The court GRANTS Plaintiffs' request--the deadline for filing motions for attorneys' fees, as specified by Local Rule 54.2(b), is STAYED until the Ninth Circuit issues its mandate on any appeal. If Defendant does not file an appeal, the stay will last until the deadline for the filing of Defendant's notice of appeal has passed, <i>see</i> Fed. R. Civ. P. 4.</p>



(CHIEF JUDGE J. MICHAEL SEABRIGHT)(rjh) (Entered: 09/28/2021)

09/30/2021	<a href="#">120</a>	TRANSCRIPT of Proceedings <a href="#">54</a> PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT <a href="#">60</a> DEFENDANT CLARE E. CONNORS, IN HER OFFICIAL CAPACITY AS THE ATTORNEY GENERAL OF THE STATE OF HAWAII'S COUNTER MOTION FOR SUMMARY JUDGMENT held on 10/19/2020, before Judge J. MICHAEL SEABRIGHT. Court Reporter - Cynthia Fazio, Telephone number - (808) 541-2063. Email Address - cf@hid.uscourts.gov. PP. - 18 <b>90-Day Transcript Restriction:</b> PACER access to filed transcripts is restricted for 90 days from the file date to permit redaction of personal identifiers. Citations to restricted transcripts in filed documents must be limited to those portions of the proceedings that are relevant and in need of judicial review. Attaching restricted transcripts, in their entirety, to filed documents should be limited to situations with specific need. Transcript may be viewed at the court public terminal or ordered through the Court Reporter before the deadline for Release of Transcript. Redaction Request due 10/18/2021. Redacted Transcript Deadline set for 10/28/2021. Release of Transcript Restriction set for 12/27/2021. (cf@hid.uscourts.gov) (Entered: 09/30/2021)
09/30/2021	<a href="#">121</a>	TRANSCRIPT of Proceedings <a href="#">54</a> PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT <a href="#">60</a> DEFENDANT CLARE E. CONNORS, IN HER OFFICIAL CAPACITY AS THE ATTORNEY GENERAL OF THE STATE OF HAWAII'S COUNTER MOTION FOR SUMMARY JUDGMENT held on 6/28/2021, before Judge J. MICHAEL SEABRIGHT. Court Reporter-Cynthia Fazio, Telephone number - (808) 541-2063. Email Address - cf@hid.uscourts.gov. PP. - 38 <b>90-Day Transcript Restriction:</b> PACER access to filed transcripts is restricted for 90 days from the file date to permit redaction of personal identifiers. Citations to restricted transcripts in filed documents must be limited to those portions of the proceedings that are relevant and in need of judicial review. Attaching restricted transcripts, in their entirety, to filed documents should be limited to situations with specific need. Transcript may be viewed at the court public terminal or ordered through the Court Reporter before the deadline for Release of Transcript. Redaction Request due 10/18/2021. Redacted Transcript Deadline set for 10/28/2021. Release of Transcript Restriction set for 12/27/2021. (cf@hid.uscourts.gov) (Entered: 09/30/2021)
09/30/2021	<a href="#">122</a>	TRANSCRIPT of Proceedings <a href="#">54</a> PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT <a href="#">60</a> DEFENDANT CLARE E. CONNORS, IN HER OFFICIAL CAPACITY AS THE ATTORNEY GENERAL OF THE STATE OF HAWAII'S COUNTER MOTION FOR SUMMARY JUDGMENT held on 8/4/2021, before Judge J. MICHAEL SEABRIGHT. Court Reporter - Cynthia Fazio, Telephone number - (808) 541-2063. Email Address - cf@hid.uscourts.gov. PP. - 7 <b>90-Day Transcript Restriction:</b> PACER access to filed transcripts is restricted for 90 days from the file date to permit redaction of personal identifiers. Citations to restricted transcripts in filed documents must be limited to those portions of the proceedings that are relevant and in need of judicial review. Attaching restricted transcripts, in their entirety, to filed documents should be limited to situations with specific need. Transcript may be viewed at the court public terminal or ordered through the Court Reporter before the deadline for Release of Transcript. Redaction Request due 10/18/2021. Redacted Transcript Deadline set for 10/28/2021. Release of Transcript Restriction set for 12/27/2021. (cf@hid.uscourts.gov) (Entered: 09/30/2021)
10/14/2021	<a href="#">123</a>	<b>NOTICE OF APPEAL</b> by Clare E. Connors. Appeal Record due by 10/22/2021. (0975-2591555, \$ 505.00) <b>USCA No. 21-16756</b> (Attachments: # <a href="#">1</a> Representation Statement, # <a href="#">2</a> Certificate of Service)(Moser, Kendall) Modified on 10/14/2021 to add receipt number -- payment was remitted to Pay.gov on 10/12/2021 (eta)

Modified on 10/21/2021 (jo)

(Entered: 10/14/2021)

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